

AMENDMENTS TO LB 482

Introduced by Health and Human Services

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Sections 1 to 5 of this act shall be known and
4 may be cited as the Autism Treatment Program Act.

5 Sec. 2. The purposes of the Autism Treatment Program Act
6 are to (1) create the Autism Treatment Program administered by the
7 Center for Autism Spectrum Disorders at the University of Nebraska
8 Medical Center and (2) provide for the development of a waiver or
9 an amendment to an existing waiver under the medical assistance
10 program established in section 68-903.

11 Sec. 3. The Autism Treatment Program is created. The
12 program shall be administered by the Center for Autism Spectrum
13 Disorders at the University of Nebraska Medical Center. The program
14 shall provide or coordinate the provision of statewide intensive
15 early intervention services based on behavioral principles for
16 children with a medical diagnosis of an autism spectrum disorder
17 or an educational verification of autism. The program shall utilize
18 private funds and funds transferred by the Legislature from the
19 Nebraska Health Care Cash Fund to the Autism Treatment Program
20 Cash Fund. Transfers from the Nebraska Health Care Cash Fund in
21 any fiscal year shall be contingent upon the receipt of private
22 matching funds for such program, with no less than one dollar of
23 private funds received for every two dollars transferred from the

1 Nebraska Health Care Cash Fund.

2 Sec. 4. The Autism Treatment Program Cash Fund is
3 created. The fund shall include revenue transferred from the
4 Nebraska Health Care Cash Fund and revenue received from gifts,
5 grants, bequests, donations, or other contributions from public or
6 private sources. The Autism Treatment Program Cash Fund shall be
7 administered by the Center for Autism Spectrum Disorders at the
8 University of Nebraska Medical Center for purposes of the Autism
9 Treatment Program created in section 3 of this act. Any money in
10 the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 Sec. 5. (1) The Department of Health and Human Services
14 shall apply for a waiver or an amendment to an existing waiver
15 under the medical assistance program established in section 68-903
16 for the purpose of providing medical assistance for intensive
17 early intervention services based on behavioral principles for
18 children with a medical diagnosis of an autism spectrum disorder
19 or an educational verification of autism. Such waiver shall not be
20 construed to create an entitlement to services provided under such
21 waiver.

22 (2) It is the intent of the Legislature that such
23 waiver (a) require means testing for and cost-sharing by recipient
24 families, (b) limit eligibility only to children for whom such
25 services have been initiated prior to the age of nine years,
26 (c) limit the number of children served according to available
27 funding, (d) require demonstrated progress toward the attainment

1 of treatment goals as a condition for continued receipt of medical
2 assistance benefits for such treatment, (e) be developed in
3 consultation with the Health and Human Services Committee of
4 the Legislature and the federal Centers for Medicare and Medicaid
5 Services and with the input of parents and families of children
6 with autism spectrum disorders and organizations advocating on
7 behalf of such persons, and (f) be submitted to the federal Centers
8 for Medicare and Medicaid Services as soon as practicable, but no
9 later than July 1, 2008.

10 Sec. 6. Section 71-7611, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 71-7611 (1) The Nebraska Health Care Cash Fund is
13 created. The State Treasurer shall transfer ~~fifty-two~~ fifty-three
14 million dollars annually no later than July 15 from the Nebraska
15 Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco
16 Settlement Trust Fund to the Nebraska Health Care Cash Fund.
17 The state investment officer upon consultation with the Nebraska
18 Investment Council shall advise the State Treasurer on the amounts
19 to be transferred from the Nebraska Medicaid Intergovernmental
20 Trust Fund and from the Nebraska Tobacco Settlement Trust
21 Fund under this section in order to sustain such transfers in
22 perpetuity. The state investment officer shall report to the
23 Legislature on or before October 1 of every even-numbered year on
24 the sustainability of such transfers.

25 (2) Any money in the Nebraska Health Care Cash Fund
26 available for investment shall be invested by the state investment
27 officer pursuant to the Nebraska Capital Expansion Act and the

1 Nebraska State Funds Investment Act.

2 (3) The State Treasurer shall transfer one million
3 dollars annually from the Nebraska Health Care Cash Fund to the
4 Autism Treatment Program Cash Fund for five fiscal years beginning
5 in fiscal year 2007-08. Such transfers in any fiscal year shall
6 be contingent upon the receipt of private matching funds under
7 the Autism Treatment Program Act, with no less than one dollar of
8 private funds received for every two dollars transferred from the
9 Nebraska Health Care Cash Fund to the Autism Treatment Program Cash
10 Fund.

11 ~~(3) The State Treasurer shall transfer two million~~
12 ~~dollars from the Nebraska Health Care Cash Fund to the University~~
13 ~~of Nebraska Medical Center Designated Cash Fund within fifteen days~~
14 ~~after July 1, 2005.~~

15 ~~(4) The State Treasurer shall transfer two million~~
16 ~~dollars from the Nebraska Health Care Cash Fund to the University~~
17 ~~of Nebraska Medical Center Designated Cash Fund within fifteen days~~
18 ~~after July 1, 2006.~~

19 ~~(5) The State Treasurer shall transfer one million nine~~
20 ~~hundred thirty-nine thousand eight hundred sixty-three dollars~~
21 ~~from the Nebraska Health Care Cash Fund to the Nebraska Capital~~
22 ~~Construction Fund within five days after July 1, 2005.~~

23 ~~(6) The State Treasurer shall transfer seven hundred~~
24 ~~thousand dollars from the Nebraska Health Care Cash Fund to the~~
25 ~~Nebraska Capital Construction Fund within five days after July 1,~~
26 ~~2005.~~

27 ~~(7) (4) The University of Nebraska and postsecondary~~

1 educational institutions having colleges of medicine in Nebraska
2 and their affiliated research hospitals in Nebraska, as a condition
3 of receiving any funds appropriated or transferred from the
4 Nebraska Health Care Cash Fund, shall not discriminate against
5 any person on the basis of sexual orientation.

6 Sec. 7. This act becomes operative on July 1, 2007.

7 Sec. 8. Original section 71-7611, Revised Statutes
8 Cumulative Supplement, 2006, is repealed.

9 Sec. 9. Since an emergency exists, this act takes effect
10 when passed and approved according to law.